

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons which follow.

I. In the Specification

The Examiner objects to the disclosure under 37 CFR § 1.163(a) and rejects the claim under 35 U.S.C. 112, first and second paragraphs, as being unsupported by a clear and complete botanical description which distinguishes the cultivar from related known varieties. Favorable reconsideration and allowance of the application is requested in view of the foregoing amendments and the remarks which follow.

In order to expedite the Examiner's review of this response, Applicant will address each of the Examiner's objections in the order they were discussed in the Official Action.

A. The specification has been amended at page 1, line 5, to insert single quotation marks around the variety denomination, 'Danchryatpink'.

B. The specification has been amended at page 1, lines 10-13, to clarify the origin of the new cultivar, 'Danchryatpink'.

C. The specification has been amended at page 1, lines 11-12, to amend the application status of the parental cultivar, 'Danchryat'.

D. The specification has been amended at page 3, line 10, to clarify the plant shape of 'Danchryatpink'.

E. The specification has been amended at page 3, line 14, to clarify the longevity of the individual bloom both on and off the stem of 'Danchryatpink'.

F. The specification has been amended at page 4, line 17, to delete the recitation of the term "Flowers".

G. The specification has been amended at page 6, to insert after line 4, a description of the phyllaries of 'Danchryatpink'.

H. The specification has been amended at page 6, lines 14, to delete the recitation of the term "Achene".

The specification has further been amended at page 6, line 17, to delete the recitation of the term "Achene" and to replace it with the term "Oblong" to describe the seed shape of 'Danchryatpink'.

I. The specification been amended at page 6, to identify the location for both the Androecium and Gynoecium of 'Danchryatpink' in the "Reproductive Organs" description.

The "Reproductive Organ" description of the specification has further been amended to include the anthers color of 'Danchryatpink' and to categorize the Androecium and Gynoecium of 'Danchryatpink'.

In addition, the specification has been amended at page 2, lines 14-17, under the heading, "Brief Description of the Drawings". Further, the Applicant s

Lastly, the Applicant has amended the specification to correct any spacing or typographical errors.

Due to the number of changes and/or corrections, Applicant hereby files a Substitute Specification containing no new matter. The Examiner is authorized to cancel the specification as filed in favor of the attached Substitute Specification.

II. In the Drawings:

A Transmittal of Formal Drawings/Photographs is filed concurrently herewith, along with two (2) Replacement, Formal Drawings/Photographs (2 sets in color and 1 set in black and white – 6 total sheets). The Replacement, Formal Drawings/Photographs more accurately depict the color of 'Danchryatpink' than the Drawings/Photographs filed April 16, 2004.

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 21, 2005

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By Richard C. Peet

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Amendments to the Drawings:

A Transmittal of Formal Drawings/Photographs is filed concurrently herewith, along with 2 Replacement, Formal Drawings/Photographs (2 sets in color and 1 set in black and white).